

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, MAY 2, 2006, 7:00 P.M.**

The City of Leon Valley, Texas, met in Regular Meeting on the 2nd day of May 2006 at 7:00 p.m., at the Leon Valley City Council Chambers, for the purpose of the following business, to-wit:

Call to Order and Pledge of Allegiance.

Mayor Riley called the meeting to order and asked that the minutes reflect that the following members of Council were present: Maloy, Lange, Semmelmann, Dean, and Rangel.

City Manager Cortes, City Secretary Feutz, Fire Chief Irwin, Police Chief Oakes, Assistant Public Works Director Steele, City Accountant Wallace, Community Development Director Smith, Economic Development Liaison Caldera, Library Director Trent, and City Attorney Jacobson were also present.

Mayor Riley asked James Rasmussen, the Leon Valley Area Chamber of Commerce Vice President, to lead the Pledge of Allegiance.

Update from District 125 Representative Joaquin Castro.

Representative Castro addressed Council stating that there had been six special sessions and two regular sessions of Legislature since 2003. He presented an overview of tax reform bills before the Legislature and reported on his voting record. Representative Castro answered questions from Council on proposed tax bills and the school finance issues.

Consider Approval of Minutes of the Regular City Council Meeting of April 18, 2006 and Special City Council Meeting of April 25, 2006.

A motion was made by Councilmember Rangel, seconded by Councilmember Dean to approve the minutes of the Regular City Council Meeting of April 18, 2006 and the Special City Council Meeting of April 25, 2006. Upon vote, the motion carried.

Presentation of Service Award for Employee with 25 Years of Service to the City.

Mayor Riley presented a gold watch as a 25-year service award to Lt. Victor Reyes, Community Resources Officer, who was hired on February 18, 1981. Mayor Riley thanked Lt. Reyes for his dedicated service to the citizens of Leon Valley. Chief Oakes also congratulated Lt. Reyes for the valued service he has provided over his years with the Leon Valley Police Department.

New Business.

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Mayor Riley announced that Regular Agenda Item #8 would be considered before Agenda Item #7. No objections were heard from Council.

Citizens to Be Heard and Timing for Objections to Consent Agenda.

Mayor Riley asked if any members of Council wished for any items on the Consent Agenda to be removed for discussion. Hearing no one, Mayor Riley asked if anyone in the audience wished to address Council.

Resident Pedro Esquivel addressed Council complimenting them on providing the opportunity for the public to learn more about the Bandera Road Traffic Congestion options and encouraged them to provide the public with the information earlier.

Consent Agenda.

Quarterly Investment Report - January 1, 2006 - March 31, 2006.

A motion was made by Councilmember Rangel, seconded by Councilmember Dean to approve the single item on the Consent Agenda. Upon vote, the motion carried.

Regular Agenda

Consider M&C #05-01-06 with Attached Ordinance - Recommended Revisions to City Code Chapter 5, "Signs", by the Business Alliance Committee.

Business Alliance Committee Chairman Mike Davis addressed Council explaining that a Sub-Committee had worked on revisions to the City's Sign Code. He thanked members of the Sub-Committee for their many hours of work on the proposed revisions: Chair Philip Manea, business owner and resident, resident Monica Donahue, resident Lillian Little, business representative Greg Michaels from Liberty Tax, business representative Herman Murray from Ancira, business representative Tim Kreusel from Office Supply America, and business representative John Van Zandt from Fiesta Lincoln Mercury.

Phillip Manea addressed Council and presented slides with the Committee's recommendations for changes to the City's Sign Code. He presented changes to be made under Section 5.23 "Temporary Advertising Signs" to allow each business address, rather than each property, to have a temporary sign displayed for sixty days each quarter, rather than for only thirty days as allowed under the current code. Mr.

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Manea stated that the Committee recommended that seasonal businesses could apply for a variance to extend the temporary permit for up to 120 continuous days in lieu of obtaining a sign each quarter. He also recommended that if a Federal Holiday falls on the preceding Friday or the following Monday of a weekend, then the Federal holiday should be included in the time period for the installation of Special Event Temporary signs. Additionally, Mr. Manea recommended that restrictions on the actual hours for posting and removing temporary signs be deleted from this section of the code. He also stated that the Committee recommended that the size of temporary banner advertising signs be increased to one hundred square feet instead of the current thirty-two square feet.

Mr. Manea stated that the Committee also recommended changes to Section 5.9 "Non-Conforming Signs" to allow for a forty-five day period during which any property that currently has an abandoned non-conforming sign on their premises, would be allowed to reclaim the signs and the signs would be allowed to be brought into working order. He also recommended that the entire section on the amortization period for non-conforming signs be removed in its entirety.

City Manager Cortes addressed Council stating that part of the slide show presented was different than the items presented to staff for review.

Community Development Director Smith recommended that Council postpone making any decision as staff had not had the opportunity to review part of the Committee's recommendations and to allow for completion of a new survey of signs which are still not in conformance. She explained that staff was in the process of surveying signs that were not in conformance following recent changes to the Sign Code.

Councilmembers Maloy and Rangel agreed with Ms. Smith's recommendations. Mayor Riley asked if staff could provide information on parts of the Sign Code not changed, a complete overview of all the changes made to the Code, and a listing of signs still not in conformance with the Code after all the revisions. Ms. Smith stated that she would try to have all the information to Council by the second meeting in June for their review.

Following Council discussion, a motion was made by Councilmember Maloy, seconded by Councilmember Rangel, to table this agenda item until June 20, 2006 so that staff can provide Council with additional information.

The Mayor and members of Council thanked the Business Alliance Committee and its sub-committee for the efforts made on their recommendations for Sign Code revisions.

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**Consider Master Sign Plan #06-002 With Requested Variances - a Request by
Capital Investment Group, Applicant and Property Owner, for Consideration a of
Master Sign Plan Proposal for a Shopping Center, Located at 7007 Bandera Road,
Being Lots 9 and 10, Block 1, CB 4446, Clear Creek Shopping Center Subdivision.**

Mayor Riley reminded Council that this case was originally heard by City Council on April 4, 2006 and was tabled to be reconsidered at the April 18, 2006 City Council Meeting and on April 18, 2006, City Council again voted to postpone considering this case until this May 2, 2006 Regular City Council Meeting.

Community Development Director Smith reviewed the case details for a Master Sign Plan at 7007 Bandera Road, Clear Creek Shopping Center, with variances, requested by Brian Hamilton, agent for Capital Investment Group, the applicant and property owner. She reviewed the three variances requested: variance to the distance requirement between freestanding signs, variance to the number of signs allowed per frontage; and a variance to allow the use of Sign "D", an abandoned sign.

Zoning and Land Use Commission Chairman Leo Gorman reported that on March 28, 2006, the Commission recommended approval of the Master Sign Plan with the following variances: allow the use of Sign "D", until the sign is abandoned or destroyed and then the property owner must follow amortization regulations in the Sign Code, and allow the requested sixty-seven foot (67') variance to distance between signs until signs are abandoned or destroyed and then the property owner must follow amortization regulations in the Sign Code.

Agent Brian Hamilton informed Council that following a recent storm, the sign for Mattresses Etc. on the multi-tenant sign was destroyed leaving the business without advertisement on the sign. Mr. Hamilton stated that his clients were hopeful that the Sign Code changes proposed by the Business Alliance Committee would be adopted by Council. Mr. Hamilton asked that Council consider and approve the presented Master Sign Plan before Council receives staff's recommendations on the proposed revisions recommended by the Business Alliance Committee due to the hardship on Mattresses, Etc.

Councilmember Lange stated that the Sign Code of 2003 was put in place because citizens wanted Bandera Road to have a better appearance. He stated that the sign in question was still up three years later.

Councilmember Maloy stated that she felt there was no adverse conditions on the property that would warrant a variance approval and stated that an additional twenty-

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four feet could be added to the multi-tenant sign to allow for additional advertising for the shopping center's clients without a variance.

Mr. Hamilton asked that "Sign D" be allowed to remain on the property until after the Business Alliance Committee's recommendations are considered by Council on June 20, 2006.

Chamber of Commerce President Phillip Manea stated that he felt that the shopping center did have a hardship with limited space for a sign to face Huebner Road; therefore, he felt that Council should favorably consider the variance requested.

A motion was made by Councilmember Rangel, seconded by Councilmember Dean, to table this agenda item until after input is received from staff on changes to the Sign Code. Upon vote, the motion carried.

Consider M&C #05-02-06 - A Request to Authorize the City Manager to Submit a Grant Application to the Texas Parks and Wildlife Department for a Texas Recreational Trails Fund Grant.

The Park Commission's Special Committee representative Al Uvietta addressed Council and presented background information on a grant application related to the Leon Valley Parks, Recreation and Open Space Master Plan project implementation. He stated that the Texas Parks and Wildlife Department's Texas Recreational Trails Fund has a Recreational Trail Grant program which provides an opportunity for the City to apply for a \$125,000 recreational trail development grant. He explained that the grant provides a maximum of \$100,000 in reimbursement in association with \$25,000 in matching funds. Mr. Uvietta stated that the \$25,000 matching funds from the City could include the appraised value of donated land or equipment, the value of donated materials or contribution of materials, and any of the reimbursable costs which are paid for by cash donations or the City's appropriations. Mr. Uvietta presented slides with maps and diagrams of a proposed trails for development to include a wildlife viewing area and platform, trail amenities, accessible trails, and the addition of tree groves which would be included in the trail development plan.

Mr. Uvietta announced that the plan had been presented to the Park Commission and they approved the application plan.

Members of Council thanked Mr. Uvietta for the work in developing the plan and following Council discussion, a motion was made by Councilmember Lange, seconded by Councilmember Dean to approve M&C # 05-02-06 as presented. Upon vote, the motion carried.

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Proclamation for Hurricane Awareness Week - May 21-27, 2006.

Mayor Riley read the proclamation for "Hurricane Awareness Week - May 21 - 27, 2006" and urged citizens to participate in hurricane preparedness activities and to pay close attention to watch and warning instructions. Fire Chief Irwin accepted the proclamation and recommended that all citizens have a preparedness kit with a three-day supply of needed items and for citizens to consider acquiring weather alert radios.

City Manager Report.

Update on Utilization of CED Funds for the Huebner Creek Drainage Project.

City Manager Cortes informed Council that originally the estimate for the Huebner Creek widening project was for \$74,000, but since 2004 when that estimate was made, the scope of the project had significantly increased primarily due to FEMA requirements. He stated that the additional erosion control requirements and increased construction costs have increased the project cost to \$288,000. He stated that City Public Service had been contacted and was asked that additional CPS conversion funds be made available for the project or for CPS to consider funding the project.

Citizens to be Heard.

Resident Pedro Esquivel addressed Council expressing his concerns about the impact of traffic on emergency services' delivery. He said that he was unaware of any actions by Council to consider the impact of the traffic congestion on Police and Fire Department protection. City Manager Cortes reminded Council that they had authorized the City to proceed with implementation of the traffic signal preemption system. He reported that meetings had already taken place with Jeff O'Brien from 3M and the City was working on the interloper agreement with TXDOT before ordering the hardware for the system to be installed.

Announcements.

Councilmember Maloy announced that volunteers members are still needed for the Trade and Market Days Committee. She informed Council that she would be having eye surgery and would be unable to attend the next City Council Meeting.

Councilmember Lange announced that the Lion's Roar was scheduled to be delivered earlier, but due to printing press problems, the delivery was delayed. He also asked for clarification on the scheduled meeting for May 17, 2006.

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Mayor Riley announced that City of San Antonio Councilwoman Guajardo and State Representative Castro asked to use the City's Community Center for May 17, 2006 , to hold a regional meeting to hear from the public on the proposed elevated flyover.

Councilmember Semmelmann announced that the TCEQ stormwater parameters have not been received. He stated that he is still receiving citizen complaints about speeding traffic on Seneca and asked for an update on speed humps in that area. He also stated that access onto Evers from Forest Meadow was difficult and asked what could be done to improve safe access. He commended staff on their monthly reports, but asked if the monthly reports could become quarterly reports to cut down on the amount of paperwork being generated by staff.

Councilmember Dean complimented the Business Alliance Committee's work on the Sign Code and Mr. Uvietta's work on the grant application.

Councilmember Rangel announced that National Police Week is the week of May 15-19, 2006 and he asked that flags be flown at half-staff to honor police officers who have died in the line of duty. He also announced that his daughter was graduating from broadcasting school in Dallas on May 16, 2006 and asked to be excused from the Council meeting that evening.

City Secretary Feutz announced the dates and hours of Early Voting and Election Day voting at City Hall. She informed Council that the electronic voting machines were not available as the programming was not complete for the Bexar County machines from the supplier. She announced that paper ballots were being used during the interim period and that the Election Day judges were assisting with early voting.

Councilmember Semmelmann expressed his concerns about the City paying for the electronic voting system if the City did not receive the full benefit of having the machines for voting.

Mayor Riley invited everyone to the Annual Pet Parade to be held on Saturday, May 6, 2006. She announced that the Historical Society would be holding a plant and bake sale on the same date on Huebner Road. She reported that she and the City Manager had met with members from the EPA and TCEQ, who are testing well sites in the City, and reported that they are optimistic that the City will be on the list for superfund assistance in the Fall. Mayor Riley also reminded everyone that volunteers are still needed on committees and of the next Trade and Market Day scheduled for Saturday, May 14, 2006.

Adjourn.

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Mayor Riley asked if there was any other business, hearing no one, she adjourned the meeting at 9:06 p.m.

Mayor Chris Riley

ATTEST:
Marie Feutz
City Secretary